

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

FILED BY Whe D.C.

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THOMAS M. GOULD
CLERK, U.S. DISTRICT COURT
W/D OF TN, MEMPHIS

DIRECTV, INC., a California Corp.,

Plaintiff,

v.

No. 04-2399 B V

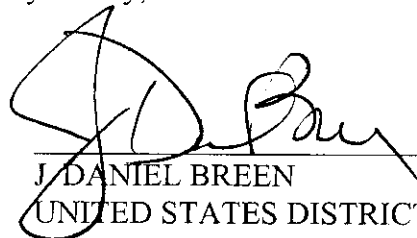
JESSE POWELL,

Defendant.

ORDER DIRECTING PARTIES TO SUBMIT BRIEFS

Before the Court is the motion of pro se Defendant, Jesse Powell, for a court appointed attorney. In his motion, Powell indicates that he is currently involved in bankruptcy proceedings. When a bankruptcy petition is filed, § 362 of the Bankruptcy Code operates as a stay applicable to all entities preventing the “commencement or continuation . . . of judicial, administrative, or other action or proceeding against the debtor . . . to recover a claim against the debtor that arose before the commencement of the case under this title.” 11 U.S.C. § 362(a). The Court is uncertain as to whether this claim is listed in Defendant’s bankruptcy. As well, the parties should submit position papers on what effect, if any, Powell’s bankruptcy has on the pending litigation. Therefore, the parties are hereby DIRECTED to file briefs addressing the question within fifteen (15) days of the entry of this order.

IT IS SO ORDERED this 6th day of July, 2005.



J. DANIEL BREEN
UNITED STATES DISTRICT JUDGE



Notice of Distribution

This notice confirms a copy of the document docketed as number 23 in case 2:04-CV-02399 was distributed by fax, mail, or direct printing on July 7, 2005 to the parties listed.

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Honorable J. Breen
US DISTRICT COURT